Single Bench (3)

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P . NO. 65 /2005

PETITIONER : Ghanshyam S/o Hari aged about 56 years R/o Loharsingh, Occupation - Farmer Dist. Raigarh (C.G.)

VERSUS

RESPONDENTS 1) State of Chhattisgarh through the secretary Department of home affairs D.K.S. Bhawan Mantralaya Raipur (C.G.)

2) District Election officer Govt. of Chhattisgarh Raipur (C.G.)

3) Assistant Returning Officer Gram Panchayat Loharsingh District - Raigarh (C.G.)

R.R. No. 10/5/05
Presented by Sri Manish Upadhyay
dated 10/01/05

10.1.05

WRIT PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA. FOR ISSUNCE OF APPROPRIATE WRITS / ORDERS AND DIRECTION

(48)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.NO. 65/05 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

13-1-2005

Shri Manish Upadhaya, counsel for the petitioner.

Shri P.K. Verma, Additional Advocate General for the respondents 1 to 3.

Heard both the counsel.

By this writ petition the petitioner has questioned the action of respondent No.3 whereby respondent No.3 has allotted '**Spade**' symbol to the petitioner which is meant for the post of Panch whereas, the petitioner submitted nomination form for the post of Sarpanch.

At the outset, learned Additional Advocate General placed original nomination form submitted by the petitioner before the Returning Officer. Perusal of the nomination form shows that the same is meant for the post of Panch. The petition of the petitioner is wholly misconceived and filed on wrong fact which has been supported by the affidavit of the petitioner.

It is a serious matter that the petitioner has filed the petition supported by the affidavit with false assertions contrary to the

(44)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक.....**सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

record, therefore, this writ petition is liable to be dismissed with exemplary cost.

In the circumstances, the writ petition is dismissed with cost of Rs.1,000/- (One thousand only) to be paid to the High Court Bar Association within 15 days failing which proper action will be initiated.

Learned Additional Advocate General to place xerox copy of the document on record during the course of the day.

Consequently, M.(W.)P. No.50/2005, I.A. Nos. 156/2005 and 157/2005 also stand disposed of.

Sd/-
L.C. Bhadoo
Judge

Barve

31.1.05 32.05 16.1.05 4.2.05